

Page 2, paragraph 3, lines 11-22, substitute therefor:

AG Replication complicates schema evolution, because copies of the database objects are stored on multiple sites in a distributed network of database systems. Before any of the administrative operations in schema evolution are performed at one site for a particular database object, any activities requiring replication for that database object must be suspended, or "quiesced," at all sites. Quiescence allows all previously made replication activities to complete, so that all replicated modifications may be performed consistently with respect to the administrative environment at each site. Thus, replication is quiesced at all sites to prevent inconsistent modifications to replicated data. One implementation of quiescence is described in the commonly assigned U.S. Patent No. 5,991,768 entitled "Finer Grained Quiescence for Data Replication" issued November 23, 1999 to Harry Sun *et al.*, the contents of which are incorporated by reference as if fully set forth herein.

#### REMARKS

Claims 1-10 are pending via the present Continued Prosecution Amendment.

The Office Action dated May 20, 2002 objected to the specification and rejected claims 1-10 as obvious under 35 U.S.C. § 103 based on *Bauer et al.* (US 5,870,765) in view of *Downing et al.* (US 6,289,335). The present application, *Bauer et al.*, and *Downing et al.* are all commonly assigned to Oracle Corporation.

In response to the objection to the specification, the specification is amended to update the status of co-pending and issued patent applications. No new matter is introduced.

The rejection of claims 1-10 is respectfully traversed, because *Downing et al.* cannot preclude patentability for obviousness in light of the recent enactment of the American Inventors Protection Act (AIPA), Pub. L. 106-113, § 4807, effective for all applications filed on or after November 29, 1999. As amended, 35 U.S.C. § 103(c) provides:

(c) Subject matter developed by another person, which qualifies as prior art only under subsection (e), (f), or (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention as made, owned by the same person or subject to an obligation of assignment to the same person.


The present application is a CPA filed after the Nov. 29, 1999 enactment date of this provision of the AIPA and is therefore entitled to benefit from the AIPA's prior art exclusion for certain commonly assigned patents. The present application has a filing date of May 28, 1999, which is before the September 11, 2001 issue date of *Downing et al.* Thus, *Downing et al.* would qualify as prior art only under subsections (e), (f), or (g) of § 102. Since both the present application and *Downing et al.* are commonly assigned (to Oracle Corporation), the use of *Downing et al.* in the obviousness rejection is disallowed by law.

Favorable consideration of this application is respectfully requested. If any unresolved issues remain, it is respectfully requested that the Examiner telephone the undersigned attorney at 703-425-8516 so that such issues may be resolved as expeditiously as possible.

Respectfully Submitted,

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7/31/2002  
Date

  
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APPENDIX

Please amend the specification, as follows:

Page 1, paragraph 3, lines 11-14:

--U.S. Application serial no. [\_\_\_\_\_] (docket no. 50277-328)] 09/322,153 entitled "Data Replication for Front Office Automation" filed on May 28, 1999 by Benny Souder, Alan Downing, Harry Sun, Alan Demers, James Stamos, John C. Graham, Curtis Elsbernd, Mahesh Subramaniam, and Wayne E. Smith;--;

Page 1, paragraph 4, lines 15-17:

--U.S. Application serial no. [\_\_\_\_\_] (docket no. 50277-329)] 09/321,622 entitled "Lightweight Data Replication" filed on May 28, 1999 by Sukanya Balaraman, Alan Downing, John C. Graham, Lewis S. Kaplan, Benny Souder, and Harry Sun;--;

Page 1, paragraph 5, lines 18-20:

--U.S. Application serial no. [\_\_\_\_\_] (docket no. 50277-295)] 09/321,624 entitled "Data Replication Security" filed on same date herewith by Wayne E. Smith and Alan Downing;--;

Page 1, paragraph 6, lines 21-23:

--U.S. Application serial no. [\_\_\_\_\_] (docket no. 50277-296)] 09/321,625 entitled "Method and Software for Mass Deployment of Front Office Applications" filed on May 28, 1999 by Curtis Elsbernd, Benny Souder, and Wayne E. Smith; and--;

Page 1, last paragraph, lines 24-26:

--U.S. Application serial no. [\_\_\_\_\_] (docket no. 50277-313)] 09/321,594 entitled "Schema Evolution in Replication" filed on May 28, 1999 by Alan Demers, Curtis Elsbernd, James Stamos, and Lik Wong.--;

Page 2, paragraph 3, lines 11-22:

--Replication complicates schema evolution, because copies of the database objects are stored on multiple sites in a distributed network of database systems. Before any of the administrative operations in schema evolution are performed at one site for a particular database object, any activities requiring replication for that database object must be suspended, or "quiesced," at all sites. Quiescence allows all previously made replication activities to complete, so that all replicated modifications may be performed consistently with respect to the administrative environment at each site. Thus, replication is quiesced at all sites to prevent inconsistent modifications to replicated data. One implementation of quiescence is described in the commonly assigned U.S. Patent [Application serial no. 08/865,818] No. 5,991,768 entitled "Finer Grained Quiescence for Data Replication" [filed on May 30, 1997 by] issued November 23, 1999 to Harry Sun et al., [now U.S. Patent \_\_\_\_\_], the contents of which are incorporated by reference as if fully set forth herein.--.